



Attorney Docket: 19468-0001
Application No. 10/689,853

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Harikrishnan R. Nair)	
)	Confirmation No.: 4215
Application No. 10/689,853)	
)	Group Art Unit: 1761
Filed: October 22, 2003)	
)	Examiner: A.J. Weier
For: EDIBLE TESTA-ON (SKIN-ON))	
CASHEW NUTS AND METHODS FOR)	Docket No. 19468-0001
PREPARING SAME)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 20313-1450

DECLARATION UNDER 37 CFR § 1.132

Sir:

I, Harikrishnan R. Nair, hereby declare as follows:

1. I am the inventor of the subject of the above-identified patent application and am familiar with the state of the art related to that subject matter.
2. I am familiar with the cashew shell removal methods described in GB 2326583 as cited in the March 23, 2006 Office Action. In particular, I have reviewed and am familiar with the processes for removing cashew shells (i.e., the dry roasting and wet roasting systems) discussed in GB 2326583 (and which are also discussed on pages 4-7 of the present Specification).
3. Among other things, GB 2326583 describes a process for conditioning in-shell cashews with water and then exposing the cashews to a bath containing a diluted solution of

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cashew-nut-shell liquid (CNSL) in order to remove some of the shell-oil before shelling the cashew (the "shelling process").

4. In the CNSL oil-bath process, the CNSL from the bath does not penetrate the shell and reach the kernel inside because the shell is both thick and highly non-porous.

5. Similarly, during the wetting (conditioning) step of shelling process, the shell does not permit a sufficient quantity of water through it in order to significantly, if at all, alter the chemical composition of the testa. In other words, the wetting step of shelling process would remove, at most, only a very small amount of the chemicals present in the testa and certainly no more than on the order of approximately 10% of the total chemical content of the testa (i.e., that the testa would still contain at least 90% if not more of its chemical content following completion of the shelling process).

6. Additionally, even if the wetting step of the shelling process was conducted over a period of many days, for example, and water were to reach the testa and kernel through the shell, any tannins which could bleed from the testa would bleed into the kernel, rather than out through the shell because the shell is considerably less porous than the kernel. Thus, the wetting step of the shelling process would not provide edible testa on cashews.

7. Having been warned that willful false statements and the like are punishable by fine or imprisonment, or both (18 USC §1001), and may jeopardize the validity of this application or any patent issuing therefrom, I hereby declare under penalty for perjury under the laws of the United States of America that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true.

Inventor's Signature: _____

Harikrishnan R. Nair

Date: August 17, 2006